Justice in the 20th Century

• The Nuremberg Trials
  – Prosecuted the political and military leaders of Nazi Germany who were responsible for the Holocaust
  – Paved the way for a system of international justice

• [http://www.pbs.org/pov/reckoning/icc_history.php#ULREMdPjlm0](http://www.pbs.org/pov/reckoning/icc_history.php#ULREMdPjlm0)
Did You Know That…

- Nazi Germany was inspired by U.S. eugenics programs.
- At the same time that Jews were placed into concentration camps, Japanese-Americans were placed into “internment camps”.

What is Rule of Law?
Rule of Law in the United States

• Independent judicial system
• Central body of laws
  – Federal and state laws based on the Constitution and the Bill of Rights
• Rule of law is applied through the judicial system and our laws
  – The Supreme Court
  – Presidential impeachment process
What is International Rule of Law?

• One of the most important forms of infrastructure is the legal system.
  – Most countries have their own set of laws and their own ways of enforcing them.
  – Some don’t...(i.e. failed states)

• What happens when a state commits a crime against another state or against its own people?
  – Who should be held accountable?
  – Who should hold them accountable?

• Law of the Land versus Law of the Sea
The U.N. Declaration of Human Rights

- Adopted in 1948 after the experiences of World War II
- Drafted by 18 member states from different political and cultural backgrounds
- Defined the meaning of human rights
  - [http://www.youtube.com/watch?NR=1&v=3VhQQrtq7PE&feature=fvwp](http://www.youtube.com/watch?NR=1&v=3VhQQrtq7PE&feature=fvwp)
- Contains two main dimensions, outlined in later covenants (1966): 1) civil and political rights and 2) economic, social and cultural rights
- "Never again..."
The Creation of Humanitarian Law

The Geneva Conventions (1949)

• Four Treaties

1. Protection of wounded or sick soldiers on land during war (includes medical and religious personnel)
2. Protection of wounded or sick military personnel on sea (including hospital ships)
3. Establishing regulations for prisoners of war
4. Protection of civilians, particularly in occupied territories
Intergovernmental Organizations

- Intergovernmental Organizations (IGOs): are organizations or institutions made up of sovereign states and are created through treaties which must be signed by the legal representatives of those states.
- They can be global or regional
  - They can have a specific focus (i.e. cultural, economic, educational, military, etc.)
- Can you think of any IGOs?
Limitations of IGOs

- Tension between maintaining state sovereignty and establishing global standards of human rights.
  - Sovereignty: the concept that a state is entitled to govern itself and that its leaders have authority over their own territories; autonomy
  - The rights of the state versus the rights of its people
- As an IGO, the U.N. has no military backing which means that it has no way of enforcing its proposed policies.
- The process for making resolutions and prosecuting war criminals is very long.
What About NGOs?

- What are NGOs? What do they do?  
  - Amnesty International
The International Criminal Court

- The ICC was the first physical institution established by the **ROME STATUTE** of the United Nations for the purpose of addressing **issues of international law** such as:
  1. Genocide
  2. Crimes against humanity
  3. War crimes
  4. Crimes of aggression

- What type(s) of international crime are not addressed by the ICC?
- Do you think the ICC should continue to exist?
Global Problems

• Even though many instances of human rights violations often occur as part of regional disputes, they are part of a global problem

• Is it possible for everyone to recognize human rights?
  – Political limitations
  – Cultural limitations
  – Religious limitations